

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

JERRY LEON DEES, JR.,

Plaintiff,

v.

**HYUNDAI MOTOR MANUFACTURING
ALABAMA, LLC, and HYUNDAI
MOTOR AMERICA, INC.,**

Defendants.

**CIVIL ACTION NO.:
2:07-cv-00306-MHT-CSC**

DEFENDANTS' EXHIBIT LIST

Pursuant to Fed. R. Civ. P. Rule 26(a)(3) and the Court's Uniform Scheduling Order (Doc. 19), Defendants Hyundai Motor Manufacturing Alabama, LLC ("HMMA") and Hyundai Motor America, Inc. ("HMA"), submit the following exhibit list:

A. Defendant expects to offer the following documents at trial:

1. Handwritten statement prepared by William Ware following interview with Jim Brookshire, who initialed the handwritten statement on February 15, 2007 (Bates Nos. 00037);
2. Handwritten statement prepared by William Ware following interview with Jim Brookshire, who initialed the handwritten statement on February 19, 2007 (Bates Nos. 00038);
3. Team Relations Memo prepared by William Ware dated February 21, 2007 (Bates No. 00036);
4. Electronic Meeting Request for Termination Committee Meeting regarding Plaintiff (Bates No. 0351);
5. Team Relations Memo prepared by Rob Clevenger dated February 23, 2007 (Bates Nos. 00033 - 00034) (Handwritten notation by General Counsel Richard E. Neal at Bates No. 0034 REDACTED);

6. Termination letter from Wendy Warner to Plaintiff dated February 26, 2007 (Bates No. 00006);
7. Exit Interview Questionnaire & Checklist (Bates Nos. 00004 - 00005);
8. Team Member Review letter from Wendy Warner to Plaintiff dated March 7, 2007, and certified mail receipt for same (Bates Nos. 00001 – 00002);
9. Answering machine message to Plaintiff from Rob Clevenger at HMMA, and transcript of same;
10. E-mail prepared by Greg Prater on February 21, 2007, e-mailed to John Applegate (subsequently forwarded by John Applegate to Rob Clevenger) (Bates No. 00035);
11. Team Member Handbook (Bates Nos. Warner Depo. 0005 - 0054);
12. Military Leave Policy (Bates No. 00087);
13. Human Resources/Team Relations Harassment Policy (Bates Nos. 00083-00086);
14. Human Resources/Team Relations Serious Misconduct Policy (Bates Nos. 00088-00091);
15. Human Resources/Team Relations Team Member Review Board Policy (Bates Nos. 00092-00093);
16. Plaintiff's offer letter from HMMA, dated November 8, 2005 (Bates Nos. 00007);
17. Plaintiff's HMMA Employment Applications (Bates Nos. 00008-00011, 00015-00017);
18. Plaintiff's résumé (Bates Nos. 00013-00014);
19. Receipt of Handbook Acknowledgement, signed by Plaintiff on January 10, 2006 (Bates Nos. 00018-00019);
20. Itemization of Dees' locker contents (Bates No. 0332);
21. E-mails related to Plaintiff's termination meeting and deactivation of Plaintiff's HMMA IT Account (Bates Nos. 0334-0338);
22. Electronic Meeting Request regarding termination of Plaintiff, dated February 26, 2007 (Bates No. 0334);
23. E-mail from Greg Prater to John Applegate, dated February 21, 2007, subject: "Leon Deez" (Bates No. 0339);

24. E-mail from Greg Prater to Kevin Hughes, dated December 13, 2006, subject: "Drake Barefoot and Leon Deez" (Bates No. 0340);
25. Videotape displaying "the pit" area during production;
26. Videotape displaying Veterans Recognition at HMMA;
27. HMMA Toys for Tots support documents and photographs;
28. HMMA Veterans Day Observance information and photographs;
29. HMMA Memorial Day remembrance card information;
30. HMMA "Insights" newsletter, November 20, 2006;
31. HMMA Military Appreciation – Veterans Day recognition list sign-up information;

B. Documents which Defendants may offer if the need arises:

32. Plaintiff's Human Resources file (Bates Nos. 00001-00032);
33. E-mail from William Ware to Rob Clevenger (cc: Greg Prater), dated February 7, 2007, interviews and discussion planners related to Team Members walking off job; forwarded by Greg Prater to John Applegate; response by John Applegate to Greg Prater (cc: William Ware and Rob Clevenger (Bates Nos. 00039);
34. Discussion Planner, dated February 6, 2007 (Bates Nos. 00041-00042);
35. Discussion Planner, dated February 1, 2007 (Bates Nos. 00043-00044);
36. E-mail from Greg Prater to Kevin Hughes, cc: John Applegate, dated December 13, 2006, regarding failure of Plaintiff and Drake Barefoot to submit Daily Reports (Bates No. 0340);
37. Discussion Planner, dated December 5, 2006 (Bates Nos. 00045-00046);
38. Discussion Planner, dated November 1, 2006 (Bates Nos. 00047-00048);
39. Plaintiff's Team Relations file (Bates Nos. 00033-00048);
40. COBRA Continuation Coverage Election Letter from HMMA to Plaintiff, dated March 19, 2007 (Bates Nos. 00052);
41. Plaintiff's COBRA Application (Bates Nos. 00050);
42. Plaintiff check #7710, payable for \$667.00, for COBRA payment (Bates No. 00051);
43. Termination Checklist (Bates No. 00056);

44. Plaintiff's 401(k) Enrollment Form (Bates No. 00061);
45. Plaintiff's Blue Cross Blue Shield Enrollment and Update Form (Bates No. 00062);
46. Plaintiff's Supplemental Life Insurance Enrollment Form (Bates No. 00063);
47. Plaintiff's Beneficiary Designation for Employee Insurance and Designation of Beneficiary Instructions (Bates Nos. 00064-00065);
48. Plaintiff's Group Enrollment Form (Bates No. 00066);
49. Plaintiff's Section 125 Plan Enrollment Form (Bates No. 00068);
50. Plaintiff's Benefits' file (Bates Nos. 00049-00069);
51. Plaintiff's Request for Leave Form, August 28, 2006 (Bates No. 00070);
52. Plaintiff's Orders, dated August 2, 2006 (Bates No. 00071-00072);
53. Team Member Change Notice, dated June 6, 2006 (Bates No. 00073);
54. Team Member Change Notice, dated May 23, 2006 (Bates No. 00074);
55. Drill Attendance Memorandum, May 15, 2006 (Bates No. 00075);
56. Letter from Melanie L. McCormick, HMMA Benefits Department, to Plaintiff, dated April 5, 2006 (Bates No. 00076);
57. Weekly overtime report, dated March 26, 2006 (Bates No. 00077);
58. Request for Leave Form, dated February 10, 2007 (Bates No. 00078);
59. Plaintiff's Military Leave documents (Bates Nos. 00070-00078);
60. Correspondence to HMMA from L. Gordon Sumner, Jr., Ph.D., Executive Director of the Office of the Assistant Secretary of Defense, National Committee for Employer Support of the Guard and Reserve, congratulating HMMA for its nomination for the 2007 Secretary of Defense Employer Support Freedom Award, dated April 24, 2007, (Bates No. 00079);
61. Greg Prater's Human Resources file (Bates Nos. 00126-00165; 00326-00331);
62. Greg Prater's Team Relations file (Bates Nos. 00166-00176);
63. Ontario King's Team Relations file (Bates Nos. 00283-00298);
64. Sharon Baker's Team Relations file (Bates Nos. 00299-00308);

65. Photographs taken by Rob Clevenger on March 5, 2007 (Bates Nos. 0344-0350);
66. Photographs (219 total) taken during on-site inspection dated November 28, 2007;
67. Daily Reports (Bates Nos. 0365-1064);
68. Unicel cellular telephone records (Subpoena Docs Nos. 00366-00378);
69. BE&K Construction Company employment records (Subpoena Docs 00033-00077);
70. BE&K payroll information (Subpoena Docs 00071-00077; DEES000300-000314);
71. International Paper employment records (Subpoena Docs 00078-00365);
72. Inter-office memo from Nancy Powers to Rob Clevenger dated March 2, 2007 (Bates No. 0311);
73. Introduction of Team Member Review Board process and selection of Board (Bates Nos. 0322-0324);
74. Team Member Resolution Board Trained List (Bates No. 0325);
75. Payroll information from International Paper (Bates Nos. DEES000409-000412);
76. Plaintiff's 2006 Income Tax Return Information and Form W-2 (Bates No. DEES000070-000075, DEES000085, DEES000406-000407);
77. Plaintiff's 2005 Income Tax Return information (Bates Nos. DEES000318-000338);
78. Plaintiff's 2004 Income Tax Return information (Bates Nos. DEES000339-000357);
79. Plaintiff's payroll information for International Paper for 2007 (Check date 7/19/07) (Bates No. DEES000315);
80. The Labor Agreement between Plaintiff's current employer, International Paper, and PACE (Hall Depo. Ex. 9);
81. Expert Report of J. Timothy Downard, CPA;
82. HMMA Summary Analysis of Daily Reports (once completed);
83. Plaintiff's bankruptcy records; and
84. HMMA summary of Plaintiff's employment, including days actually worked, vacation days, and uniformed service leave days (once completed)

85. Document Hold Order, dated April 25, 2007 (Produced subject to limited waiver of applicable attorney-client and work product privileges related to this particular subject matter. No additional waiver is intended or authorized).
86. Defendants reserve the right to use at trial enlarged copies or other reproductions of any exhibit and/or tangible evidence identified herein or other potential exhibits and/or tangible evidence as justice requires.
87. Defendants reserve the right to use at trial any exhibit and/or tangible evidence identified by Plaintiff.
88. Defendants reserve the right to identify other exhibits and/or tangible evidence in response to Plaintiff's Exhibit List or as justice requires.

Respectfully submitted this the 5th day of March, 2008.

/s/ J. Trent Scofield

Timothy A. Palmer (PAL-009)

J. Trent Scofield (SCO-024)

T. Scott Kelly (KEL-053)

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Pro Hac Granted 5/15/07

Attorneys for Defendants Hyundai Motor
Manufacturing Alabama, LLC and
Hyundai Motor America, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on the 5th day of March, 2008, I electronically filed the foregoing *Defendants' Exhibit List* on behalf of Defendants Hyundai Motor Manufacturing Alabama, LLC and Hyundai Motor America, Inc. with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: W. Perry Hall, Vincent F. Kilborn, III, David Allen McDonald, Jeffrey R. Sport, Timothy A. Palmer, T. Scott Kelly, and Matthew K. Johnson.

/s/ J. Trent Scofield
Of Counsel